

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

M.H., by and through his Guardian ad
Litem, TIFFANY ARTERBERRY, et al.,

Plaintiffs,

v.

KERN HIGH SCHOOL DISTRICT, et
al.,

Defendants.

Case No. 1:23-cv-00531-ADA-CDB

ORDER GRANTING PLAINTIFFS'
REQUEST TO SEAL

(Doc. 25)

Pending before the Court is Plaintiffs' notice and request to seal a document, filed (Doc. 25) and emailed to the undersigned's chambers on August 24, 2023, described as Plaintiff M.H.'s birth certificate.

The Court has considered the factors set forth in *Oregonian Publ'g Co. v. U.S. Dist. Court for Dist. of Or.*, 920 F.2d 1462 (9th Cir. 1990). The Court finds that, for the reasons stated in Plaintiffs' notice and request, sealing the birth certificate serves a compelling interest. The Court further finds that, in the absence of closure, the compelling interests identified by Plaintiffs would be harmed. Due to the presentation of personal identifying information in a birth certificate, the Court further finds that there are no additional alternatives to sealing the document that would adequately protect the compelling interests identified by Plaintiffs.

Consistent with Local Rule 141, Plaintiffs were required to provide a copy of the birth

1 certificate to the Court. Local Rule 141(b) (“all documents covered by the Request shall be ... e-
2 mailed to the appropriate Judge or Magistrate Judge’s proposed orders e-mail box”). Although
3 Plaintiffs did not transmit a copy of the birth certificate to chambers, the Court will relieve
4 Plaintiffs of this submittal requirement given the obviousness of the need to protect M.H.’s
5 personal identifying information. Moreover, Plaintiffs did not comply with the requirement that
6 they indicate in their notice/request to seal whether the birth certificate was served on all other
7 parties. *See* Local Rule 141(b). The Court likewise will relieve Plaintiffs of this duty by directing
8 them to produce to Defendants a copy of the birth certificate, if not produced already.

9 Accordingly, pursuant to Local Rule 141 and based upon the representations contained in
10 Plaintiffs’ notice and request, IT IS HEREBY ORDERED that Plaintiff M.H.’s birth certificate
11 shall be SEALED until further order of this Court.

12 It is FURTHER ORDERED that Plaintiffs’ shall produce a copy of Plaintiff M.H.’s birth
13 certificate to Defendants.

14 It is FURTHER ORDERED within five days of the date of this Order, Plaintiffs shall
15 submit a copy of this Order and the document to be sealed (M.H.’s birth certificate) by email to:
16 ApprovedSealed@caed.uscourts.gov.

17 IT IS SO ORDERED.

18 Dated: August 25, 2023

19 
UNITED STATES MAGISTRATE JUDGE